

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bum Tae KIM, et al.

Group Art Unit: 4161

Serial No.: 10/566,911

Examiner: Ricci, Craig D.

Filed: February 3, 2006

Confirmation No.: 1133

For: ANTIFUNGAL AZOLE DERIVATIVES HAVING A FLUOROVINYLMOIETY AND PROCESS FOR THE PREPARATION THEREOF

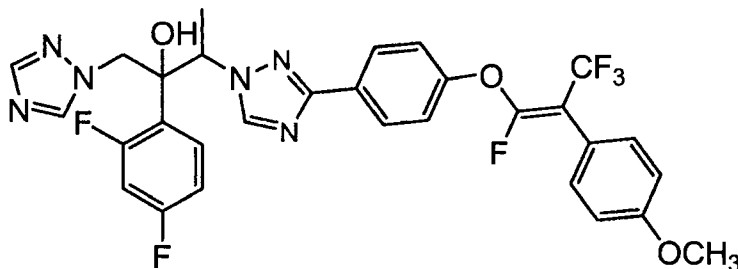
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

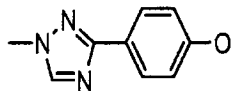
Sir:

In response to the Official Communication dated April 29, 2008, Applicant provisionally elects the single chemical species represented by the compound of Example 111 as follows:

The Commissioner is authorized to deduct any fees required in the prosecution of this application to Deposit Account No. 504581.



(The elected compound corresponds to a compound of formula I in claim 1, where A is



, R is CF₃, R' is CH₃, and X is 4-OCH₃)

Claims 1-3 are readable on the elected species.

The above election is made without traverse. It is understood that upon the allowance of a generic claim, Applicant may submit claims to additional species in dependent form and that a Divisional Application can also be filed directed to non-elected claims.

Respectfully submitted,

Dated: May 29, 2008

By: 

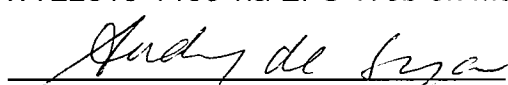
Eugene Lieberstein
Registration No. 24,645

CUSTOMER NO.: 79681

BAKER & HOSTETLER, LLP
45 Rockefeller Plaza
New York, NY 10111
Phone: 212-589-4644

CERTIFICATE OF TRANSMISSION

I hereby certify that this Response is being submitted to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 via EFS-Web on May 29, 2008.


Audrey de Souza